

MAY 21 2007

sanofi pasteur

The vaccines business of sanofi-aventis Group

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From:
Robert Yoshida
Sanofi Pasteur Inc.

This facsimile is 11 pages, including this cover page

May 21, 2007

Re: **Appl. No.:** 09/673,133
 Applicant: Lisa E. Myers et al.
 Filed: June 11, 2002
 Title: Transferrin Receptor Genes of Moraxella
 TC/A.U.: 1646
 Examiner: Pak, Michael D
 Confirmation No.: 9490
 Docket No.: 1038-1102 MIS:JB

This facsimile consists of:

Transmittal Form (1 page)
Response to "Notice of Drawing Inconsistency with Specification" (6 pages)
Notice of Drawing Inconsistency with Specification (2 pages)
Certificate of Transmission (1 page)

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| | | |
|-----------------------------------------------------------------------------------------|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/673,133 |
| | Filing Date | June 11, 2002 |
| | First Named Inventor | Lisa E. Myers |
| | Art Unit | 1646 |
| | Examiner Name | Pak, Michael D |
| | Attorney Docket Number | 1038-1102 MIS:JB |
| Total Number of Pages in This Submission | | 9 |

| ENCLOSURES (Check all that apply) | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to "Notice of Drawing Inconsistency with Specification"; the Notice of Drawing Inconsistency with Specification, mailed May 8, 2007; and Certificate of Transmission. |
| Remarks The total number of pages of this submission includes this Transmittal form. | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-----------------------|----------|--------|
| Firm Name | Sanofi Pasteur Inc. | | |
| Signature | <i>Robert Yoshida</i> | | |
| Printed name | Robert Yoshida | | |
| Date | May 21, 2007 | Reg. No. | 54,941 |

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/673,133 | 06/11/2002 | Lisa E. Myers | 1038-1102 MIS:JB | 9490 |

7590 05/08/2007
Sanofi Pasteur Inc.
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Swiftwater, PA 18370

EXAMINER

PAK, MICHAEL D

ART UNIT

PAPER NUMBER

1646

MAIL DATE

DELIVERY MODE

05/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.





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NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 10/11/2000 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures 10, 11 are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

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Office of Patent Publication/Publishing Division
Customer Service: 571-272-4200
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FORM PTO-1631 (REV. 10-03)

U.S. Appl. No. 09/673,133, filed June 11, 2002
Attorney Docket No. 1038-1102 MIS:JB

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Date



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54,941

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Telephone Number

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The following papers listed below are submitted:

Transmittal Form (1 page)

Response to Notice of Drawing Inconsistency with Specification (6 pages)

Notice of Drawing Inconsistency with Specification, mailed May 8, 2007 (2 pages).

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